

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3511

IN THE MATTER OF:

Served June 6, 1990

Application of DIPLOMAT LIMOUSINE)
AND LIVERY SERVICES, INC., for)
Temporary Authority)

Case No. AP-90-22

By application filed June 1, 1990, Diplomat Limousine and Livery Services, Inc. (Diplomat or applicant), */ seeks temporary authority to transport passengers, together with mail, express, and baggage in the same vehicles as passengers, in charter operations between points on the campus of the National Institutes of Health (NIH), Rockville Pike and Cedar Lane; White Flint Metro Station, Rockville Pike and Marinelli Road; and Executive Plaza, 6130/6120 Executive Boulevard, all points in Montgomery County, MD, restricted to the account of the United States Department of Health and Human Services (DHHS).

Applicant proposes to shuttle passengers between the three named sites on a scheduled basis from 7:30 a.m. to 6:10 p.m., Monday through Friday. Diplomat would perform the service using three 21-passenger vehicles, each equipped with a two-way radio. The tariff proposed is \$34.88 an hour.

With its application, Diplomat submitted a balance sheet as of September 30, 1989, showing current assets of \$65,122; fixed assets of \$31,956, after allowance for depreciation; and other assets of \$15,000. Current liabilities of \$439,350; long-term liabilities of \$295,694; and equity of (\$622,966), including a deficit to retained earnings of \$681,220, are listed. An operating statement for the 12-month period ended September 30, 1989, also submitted with Diplomat's application, shows operating income of \$1,619,839 and operating expenses for the same period of \$1,635,755. Diplomat projects monthly revenue of \$24,994 and monthly expenses of \$22,517 from the proposed operations.

In a notarized statement, a representative of DHHS-NIH described its service requirements.

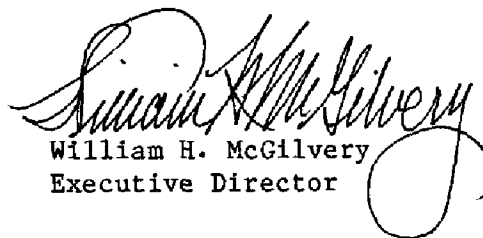
*/ Page 1 of the application form shows it to have been made by Diplomat Limousine and Livery Services, Inc. Other materials in the application, including its president's affidavit, refer to applicant as Diplomat Limousine and Livery Service, Inc. To resolve this discrepancy, applicant is hereby directed to file a copy of its Articles of Incorporation with the Commission no later than Friday, June 15, 1990.

The standards for temporary authority are set forth in the Compact, Title II, Article XII, Section 4(d)(3). The essential elements are (1) an immediate and urgent need for service, (2) no other carrier capable of meeting such need, and (3) fitness of the applicant. This order will provide notice of Diplomat's application, and a brief period will be established for the filing of protests, if any. Each protest must be accompanied by all evidence and argument upon which protestant would rely. No extension of time will be granted. The application is available for inspection at the office of the Commission during its regular business hours.

Any person desiring to protest this application shall file a notarized protest in conformance with Commission Rule No. 14, together with all evidence and argument on which protestant would rely, at the offices of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Friday, June 15, 1990, and simultaneously shall serve a copy of such protest and evidence and/or argument on Mr. Peter McGhee, 110 South Floyd Street, Alexandria, VA 22304.

IT IS SO ORDERED.

FOR THE COMMISSION:


William H. McGilvery
Executive Director